



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17.04.2023

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PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.6993 of 2023

Sundar @ Pandieswaran

... Petitioner/
Accused rank not known

Vs

The State rep.by,
The Sub-Inspector of Police,
Keela Paralachi Police Station,
Virudhunagar District.
Crime No.01 of 2023

... Respondent/Complainant

For Petitioner : Mr.M.Jothi Basu
Advocate

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Cr.No.1 of 2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 153A, 435, 447 and 504 I.P.C., in Crime No.01 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 01.01.2023 at about 01.30 a.m, the de-facto complainant was sleeping in the house and smelled smoke smell inside the house. The de-facto complainant came out of the house and saw his vehicle bearing Registration No.TN-67-F-8209 was burning outside. The de-facto complainant with the help of family members and friends put off the fire. On suspicion on 01.01.2023 at 11.30 hrs, the de-facto complainant has lodged a complaint as against ten persons and the same was registered as a



3.Heard. Perused the materials available on record including the First Information Report.

4.There are four accused involved in this case. The petitioner is arrayed as A4. A1 to A3 were arrested on 08.01.2023.

5.Taking into consideration of the facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioner with certain conditions:

6.Accordingly, the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.01 of 2023 before the learned Judicial Magistrate Court, Aruppukottai, without prejudice to his rights and contentions.

7.On such deposit being made, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Court, Aruppukottai, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioner shall report before the respondent Police, daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].



CRL OP(MD).



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[f] If the accused thereafter absconds, a fresh FI registered under Section 229A IPC.

sd/-

17/04/2023

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

sj i

TO

1. THE JUDICIAL MAGISTRATE, ARUPPUKOTTAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.
3. THE SUB-INSPECTOR OF POLICE,
KEELA PARALACHI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.G.M.LAW OFFICE, Advocate (SR-5920[I] dated
17/04/2023)

ORDER

IN

CRL OP(MD) No.6993 of 2023

Date : 17/04/2023

RK/MMS/SAR-4 (24/04/2023) 3P/6C